

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: William Rasenberger	Team: Squad #7	CCRB Case #: 202004425	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 06/05/2020 9:00 PM	Location of Incident: Grand Army Plaza	Precinct: 78	18 Mo. SOL 12/5/2021	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 06/16/2020 1:06 PM	CV Reported At: CCRB	How CV Reported: E-mail	Date/Time Received at CCRB Tue, 06/16/2020 1:06 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. An officer			

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer used physical force against individuals.	[REDACTED]

## Case Summary

On June 16<sup>th</sup>, 2020, the CCRB received the following complaint by e-mail from § 87(2)(b)

On June 5<sup>th</sup>, 2020, at around 9:00 p.m., § 87(2)(b) participated in a George Floyd/Black Lives Matter march, which was halted by police at Grand Army Plaza. A line of officers were spread out across the inner ring road, between the Triumphal Arch and a CitiBike station. One of the officers at the end of the line nearest the Citibike station allegedly shoved multiple journalists, who were attempting to cross the police line [**Allegation A: Force – Physical Force**, § 87(2)(g)]

The CCRB is not in possession of any video evidence for this case.

## Findings and Recommendations

### Allegation A: An officer used physical force against individuals

#### Known facts and general descriptions

§ 87(2)(b) stated during his CCRB interview [**BR 2**] that on June 5<sup>th</sup>, 2020, at around 9 p.m., he was participating in a Black Lives Matter/George Floyd march, which was halted by police officers when it arrived at Grand Army Plaza in Brooklyn. A line of officers spread across the inner ring road, between the Triumphal Arch and a Citibike station; the officers did not allow protesters to cross the line. Multiple journalists were on scene. At separate times, two two-person teams of journalists – whom § 87(2)(b) identified as such because they were wearing press passes -- attempted to cross the police line near its westernmost edge. An officer, who § 87(2)(b) described as a black male, probably in his twenties, standing approximately 5'10" and weighing 160 lbs, pushed each of the journalists, apparently to prevent them from crossing the line. § 87(2)(b) did not observe this officer's name or shield number.

#### Body-worn camera and other video

The CCRB's request for body-worn camera footage yielded negative results [**BR 3**]. The receipt indicates that a search was conducted for footage from the 78<sup>th</sup> Precinct, the Strategic Response Group (SRG), Critical Response Command (CRC) and the Disorder Control Unit between 8:00 p.m. and 10 p.m. on June 5<sup>th</sup>, 2020. The CCRB is in possession of two cell-phone recorded videos of the stand-off between police and protesters at Grand Army Plaza [**BR 16 and 17**]. However, these videos do not capture § 87(2)(b) or the subject officer, and do not capture any misconduct.

#### Documents

The CCRB is not in possession of any documents related to the incident. The CCRB's request for detail rosters and zone maps yielded negative results [**BR 4**]. The 78<sup>th</sup> Precinct roll call [**BR 5**] does not indicate that any officers were assigned to posts at Grand Army Plaza. A search for arrests made in Brooklyn between 8:00 p.m. and 10:00 p.m. on June 5<sup>th</sup>, 2020 showed that no arrests were made at or near Grand Army Plaza [**BR 6**]. A request for the 78<sup>th</sup> precinct summons log yielded negative results for June 5<sup>th</sup>, 2020 [**BR 7**]. The CCRB located multiple twitter posts regarding the events at Grand Army Plaza on the night of June 5<sup>th</sup>, 2020, some of which were posted by members of the press. The CCRB contacted many of these journalists, including

§ 87(2)(b)

All of these

journalists confirmed that they were at Grand Army Plaza on the night of June 5<sup>th</sup>, 2020. None reported being subjected to force by police officers, nor had they observed any officers using force against other journalists. § 87(2)(b) was the only one of these journalists that captured footage near the time and place of this incident. The footage is a “live-stream” in which § 87(2)(b) dictates the end of the stand-off between police and citizens at Grand Army Plaza. The footage is not relevant to the incident in this case. In any case, the footage no longer exists, as § 87(2)(b) deleted the twitter post in which the footage was embedded shortly after posting it.

### **Concurrent Investigations**

On January 11<sup>th</sup>, 2021, Detective Christophe Retos of the Internal Affairs Bureau (IAB) confirmed that IAB is not conducting an investigation into this incident.

### **Ranking officers**

The CCRB has been unable to identify the ranking officer on-scene, because there are no known documents or videos related to the incident.

### **Officer interviewed**

Because no victims of the force allegations were identified and because the NYPD had no documentation to identify which officers were working during this incident, no NYPD officers were interviewed.

### **Allegation recitation and disposition**

On June 5<sup>th</sup>, 2020, at around 9:00 p.m., an officer allegedly shoved multiple journalists that were covering a George Floyd/Black Lives Matter protest at Grand Army Plaza. § 87(2)(g)

### **Civilian and Officer CCRB Histories**

- § 87(2)(b) is listed as a complainant in five other CCRB complaints, all regarding incidents during the George Floyd/Black Lives Matter protests [BR 12].
  - § 87(2)(b)
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## Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- § 87(2)(b)
- On December 10<sup>th</sup>, 2020, the CCRB queried the office of the New York City Comptroller for any notices of claim connected to the incident [BR 14]. The results will be added to the case file upon receipt.

Squad No.: 7

Investigator: Will Rasenberger      Inv. Will Rasenberger      12/10/2020  
Signature      Print Title & Name      Date

Squad Leader: \_\_\_\_\_

Signature \_\_\_\_\_

Manager Vanessa Rosen \_\_\_\_\_

Print Title & Name \_\_\_\_\_

1/11/2021 \_\_\_\_\_

Date \_\_\_\_\_

Reviewer: \_\_\_\_\_

Signature \_\_\_\_\_ Print Title & Name \_\_\_\_\_ Date \_\_\_\_\_